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Attorneys for Plaintiffs and the Certified Class

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JAMES BRADY, SARAH CAVANAGH, and
IVA CHIU, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

DELOITTE & TOUCHE LLP, a limited liability
partnership; and DOES 1-10, inclusive,

Defendants

Case No. C-08-00177-SI

**STIPULATION AND ~~PROPOSED~~
ORDER TO UNSEAL *SOLIS* BRIEFS**

1 Pursuant to Local Rule 7-12, Plaintiffs and Defendant Deloitte & Touche LLP
2 (“Defendant”), through their respective counsel, submit the following stipulation and [proposed]
3 order that certain pleadings, as described below, conditionally filed with the Court under seal be
4 unsealed.

5 WHEREAS, in the course of the discovery Defendant has produced and disclosed
6 confidential, proprietary, and other private information related to the parties, as well as
7 Defendant’s clients, designated “Confidential” or “Highly Confidential - Attorneys’ Eyes Only”
8 pursuant to the parties’ Stipulated Protective Order signed by the Court on March 10, 2009, and
9 filed in the above captioned action on March 11, 2009 (“Designated Produced Materials”), for
10 which Defendant believes special protection from public disclosure and from use for any purpose
11 other than prosecuting this litigation would be warranted;

12 WHEREAS, the parties have agreed that material designated as confidential, proprietary,
13 and other private information related to the parties, as well as Defendant’s clients, may be
14 included in or discussed in the parties’ filings with respect to Defendant’s Motion for Class
15 Decertification (“Designated Motion Materials”);

16 WHEREAS, the parties agreed and the Court ordered pursuant to the parties’ stipulations
17 and proposed orders that Plaintiffs’ Briefing re Solis v. Washington and Plaintiffs’ Reply to
18 Deloitte’s Briefing re Solis v. Washington (collectively, “*Solis* Briefs”) be conditionally filed
19 under seal;

20 WHEREAS, the parties agreed that they would meet and confer regarding whether the
21 documents filed under seal pursuant to said stipulations and orders should remain under seal; and

22 WHEREAS, the parties, having met and conferred, have agreed that the Court may order
23 the *Solis* Briefs filed under seal to be unsealed, without prejudice to either parties’ rights to
24 maintain or not maintain under seal any other briefs or documents filed with the Court under seal
25 and that said order shall not affect the under-seal status of any other briefs or documents filed
26 with the Court under seal, including without limitation any exhibits referred to in the *Solis* Briefs.
27
28

1 NOW THEREFORE, the parties hereby stipulate, subject to Court approval, that the
2 following briefs conditionally filed under seal herein be unsealed:

- 3 1. Plaintiffs' Briefing re Solis v. Washington; and
- 4 2. Plaintiffs' Reply to Deloitte's Briefing re Solis v. Washington.

5
6 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

7
8 COUNSEL FOR DEFENDANT
9 DELOITTE & TOUCHE LLP

10 DATE: October 26, 2011

By: /s/ James E. Boddy
Linda E. Shostak
James E. Boddy, Jr.
MORRISON & FOERSTER LLP

13 COUNSEL FOR PLAINTIFFS

14
15 DATE: October 26, 2011

By: /s/ William A. Baird
William A. Baird
Daria Dub Carlson
Jeffrey K. Compton
MARKUN ZUSMAN & COMPTON, LLP

Steven Elster
LAW OFFICE OF STEVEN ELSTER

21 **ECF CERTIFICATION**


22 I hereby attest that I have obtained concurrence regarding the filing of this document from
23 each of the signatories within the e-filed document.

24
25
26 DATE: October 26, 2011

By: /s/ James E. Boddy
James E. Boddy

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2
3 DATED: 10/27/11

4 
Honorable Susan Illston
United States District Court Judge